

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
: **FINAL DECISION AND ORDER**
:
:
BETTY LOU PHILLIPS. : **LS08110320BAC**
RESPONDENT. :

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Barbering and Cosmetology Examining Board
P.O. Box 8935
Madison, WI 53707-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

1. Jan's Hair Designs is duly licensed as a barbering and cosmetology establishment in the State of Wisconsin having license #080 32272. This license was granted on 08/26/04.

2. Jan's Hair Designs' most recent address on file with the Department of Regulation and Licensing ("Department") is: 139 Diagonal Street, Dodgeville, WI 53533.

3. Betty Lou Phillips, date of birth: 09/19/47, is listed as a barbering and cosmetology manager at Jan's Hair Designs, having license #081-10382. This license was first granted on 09/05/69.

4. Ms. Phillips' most recent business address on file with the Department is: 139 Diagonal Street, Dodgeville, Wisconsin 53533.

5. As a licensee, Ms. Phillips was and is at all times relevant to this action responsible for compliance with Wisconsin Statutes, Chapter 454 and the Wisconsin Administrative Code for Barbering and Cosmetology Chapters 2 & 3.

6. On or about September 25, 2007, a Department consumer protection investigator conducted an inspection of Jan's Hair Designs. The inspection was conducted as part of the Wisconsin Barbering and Cosmetology Inspection Initiative. The inspection revealed Ms. Phillips had not obtained a new establishment license for her current booth rental establishment, Betty's Blend of Beauty (#80-35331; granted: October 8, 2007).

7. In resolution of this matter, the Respondent consents to the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Barbering and Cosmetology Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 454.15.

2. The Barbering and Cosmetology Examining Board is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

3. Respondents Betty Lou Phillips has violated:

Wis. Stat. 454.15(2)(c) and Wis. Admin. Code §§ BC 2.04(1); 2.045(1); 2.07(1r) and 3.01(1) by operating a booth rental establishment within Jan's Hair Designs without first obtaining an establishment credential.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is hereby accepted.

IT IS FURTHER ORDERED, that Respondent is hereby **REPRIMANDED** for the violations set forth above.

IT IS FURTHER ORDERED, that Respondent, Betty Lou Phillips shall pay to the Department of Regulation and Licensing a forfeiture of **FIVE HUNDRED DOLLARS (\$500.00)**. Two installment payments of **TWO HUNDRED FIFTY DOLLARS (\$250.00)** shall be paid every sixty (60) days from the dating and signing of this Order.

IT IS FURTHER ORDERED, that all Respondents shall jointly and severally pay costs in this matter in the amount of **ONE HUNDRED DOLLARS (\$100.00)**. The costs of **ONE HUNDRED DOLLARS (\$100.00)** shall be submitted within one hundred twenty (120) days from the date and signing of this Order.

Payments shall be made by **certified check or money order**, payable to the Wisconsin Department of Regulation and Licensing sent to:

**Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264**

IT IS FURTHER ORDERED, that in the event the Respondent fails to timely submit payment of the forfeiture and costs as set forth above, the barbering and cosmetology manager's license for Betty Lou Phillips (#81-10382), **SHALL BE SUSPENDED**, without further hearing and without further Order of the Board, and said suspension shall continue until the full amount of said costs has been paid to the Department of Regulation and Licensing and their failure to pay the costs shall be considered a violation of this Order by the Board.

IT IS FURTHER ORDERED, that file 07BAC210, be and hereby is, closed as to Respondent Betty Lou Phillips.

Dated this 3rd day of November, 2008.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Jeannie M. Bush